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4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA
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7 SAN FRANCISCO BAYKEEPER, a non-
8 profit corporation, and WEST COUNTY
9 TOXICS COALITION, a non-profit
10 organization,

11 Plaintiffs,

12 v.

13 CITY OF RICHMOND, a municipal
14 corporation; WEST COUNTY
15 WASTEWATER DISTRICT, a municipal
16 corporation; VEOLIA WATER NORTH
17 AMERICA OPERATING SERVICES, a
18 limited liability corporation; and WEST
19 COUNTY AGENCY, a joint powers
20 agency,

21 Defendants.

Civil Case No.: 3:05-cv-03829 MMC

**ORDER GRANTING PLAINTIFFS AND
DEFENDANT CITY OF RICHMOND'S
STIPULATION TO AMEND SETTLEMENT
AGREEMENT AND TO CONTINUE
PLAINTIFFS' MOTION FOR CIVIL
CONTEMPT**

22 Good cause appearing, and based on the stipulation of the parties,

23 IT IS ORDERED that consistent with the Amendment to the October 17, 2006 Settlement
24 Agreement entered into by Plaintiffs and Defendant City of Richmond, and attached as Exhibit A
25 to the October 2017 stipulation submitted by Plaintiffs and Defendant City of Richmond, the
26 October 17, 2006 Settlement Agreement (Docket No. 32-1) is modified as follows:

27 A. The Termination Date set forth in Paragraph 10 of the October 17, 2006
28 Settlement Agreement is extended to June 9, 2018 as applicable to Richmond and
no other Defendants.

Consistent with this Court's December 8, 2006 Order (Docket No. 32) and October 30,

1498739.3

1 2014 Order (Docket No. 35), this Court will continue to retain jurisdiction over Plaintiffs' First,
2 Second, Third, Fourth, Fifth, Sixth, Seventh, Tenth, Eleventh, Twelfth, Thirteenth and Fourteenth
3 claims against Defendants (other than allegations related to biosolids and effluent monitoring
4 dismissed pursuant to the Prior Settlement Agreement and the Court's July 5, 2006 Order) for the
5 sole purpose of resolving any disputes between the Parties with respect to enforcement of any
6 provision of the amended October 17, 2006 Settlement Agreement.

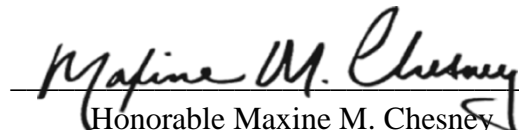
7 IT IS FURTHER ORDERED that Plaintiffs and Defendant City of Richmond are assigned
8 to **Magistrate Judge Maria-Elena James** for purposes of conducting a settlement conference.

9 IT IS FURTHER ORDERED that the briefing schedule and hearing on Plaintiffs' Motion
10 for an Order Finding Defendant City of Richmond in Civil Contempt ("Motion") (Docket No.
11 38), rescheduled by the Court for December 8, 2017 at 9:00 a.m. (Docket No. 39), shall be
12 continued to allow the Parties to hold a settlement conference before the above appointed
13 Magistrate Judge and/or until as otherwise notified by one or both Parties. Should either party
14 conclude that the Parties will not achieve resolution of the Motion via the settlement conference
15 process, one or both Parties will notify the Court with a revised hearing date and briefing
16 schedule. Either party may request that the Court re-calendar the hearing on Plaintiff's Motion
17 following ten (10) days written notice to the other party. Re-calendaring must afford Richmond
18 at least fourteen (14) days to file its opposition to Plaintiff's Motion.

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20 IT IS SO ORDERED

21 Dated: October 27, 2017

NORTHERN DISTRICT OF CALIFORNIA

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23 
24 Honorable Maxine M. Chesney
25 United States District Court
26 Northern District of California
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